

MAR 26 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JOHN F. CORCORAN, CLERK
BY: *H. McDonald*
DEPUTY CLERK

UNITED STATES OF AMERICA)	Criminal Action No. 4:07-cr-00021-1
)	
v.)	<u>§ 2255 ORDER</u>
)	
JONATHAN RANDALL FRIZZELLE,)	By: Hon. Jackson L. Kiser
Petitioner.)	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the United States' motion to dismiss is **GRANTED**; petitioner's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED**; a Certificate of Appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the United States.

ENTER: This 26th day of March, 2010.

Jackson L. Kiser
Senior United States District Judge